



NEW YORK
REGIONAL OFFICE

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
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MEMO ENDORSED

VIA ECF

The Honorable Andrew L. Carter, Jr.
United States District Judge
United States District Court
40 Foley Square
New York, New York 10007

August 28, 2024

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#: _____
DATE FILED: 8/28/24

Re: SEC v. Silvergate Capital Corporation, et al., No. 24 Civ. 4987 (ALC) (S.D.N.Y.)

Dear Judge Carter:

Pursuant to Rule 1(D) of the Court's Individual Practices, Plaintiff Securities and Exchange Commission ("SEC") respectfully requests that the Court extend by four (4) business days, to September 6, 2024, the current deadline by which the SEC must respond to Defendant Martino's letter dated August 27, 2024, requesting leave to file a motion to dismiss the Complaint, pursuant to Fed. R. Civ. P. 12(b)(6) (ECF No. 35). Defendant Martino consents to this request.

The SEC's current deadline to file its response to Defendant's letter is August 30, 2024, pursuant to Rule 2(A) of the Court's Individual Practices. Good cause exists to grant the SEC's request given the upcoming holiday weekend, counsel's pre-existing commitments, and the time needed to thoughtfully consider and respond to the August 27 letter's multiple arguments concerning over 40 paragraphs of the SEC's Complaint. In addition, the SEC has not previously requested an extension of time, and the requested extension would not affect any pending deadlines, which are presently stayed pursuant to Rule 2(A) of the Court's Individual Practices.

Accordingly, the SEC respectfully requests that the Court grant the requested extension and reset the deadline for the SEC to file its response to Defendant's August 27 letter until September 6, 2024.

Respectfully submitted,

/s/ Hayden M. Brockett
Hayden M. Brockett
Trial Counsel
Counsel for Plaintiff SEC

SO ORDERED:

HON. ANDREW L. CARTER, JR.
UNITED STATES DISTRICT JUDGE

August 28, 2024
New York, New York